IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

CANTON TEXAS DEPT. OF PUBLIC SAFETY, ET AL.

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the motion to dismiss (docket entry #12) is GRANTED. It is further ORDERED that the complaint is DISMISSED without prejudice. Fed. R. Civ. P. 41(a)(1)(A)(i). All motions not previously ruled on are DENIED.

So ORDERED and SIGNED this 15th day of April, 2009.

LEONARD DAVIS UNITED STATES DISTRICT JUDGE